

LAKESHORE LAW CENTER
Jeffrey Wilens, Esq. (State Bar No. 120371)
18340 Yorba Linda Blvd., Suite 107-610
Yorba Linda, CA 92886
714-854-7205
714-854-7206 (fax)
jeff@lakeshorelaw.org

SPENCER LAW FIRM
Jeffrey P. Spencer, Esq. (State Bar No. 182440)
1211 Puerta Del Sol, Suite 150
San Clemente, CA 92673
949-240-8595
949-240-8515 (fax)
jps@spencerlaw.net

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT,
CENTRAL DISTRICT OF CALIFORNIA,
SOUTHERN DIVISION**

SCOTT CORBIN, et. al.,) Case No. CV09-9334 JST (RNBX)
) Complaint filed December 21, 2009
) Trial Date:
) Pre-Trial Date:
Plaintiffs,) Discovery Cut-Off:
)
v.) PARTIES' JOINT STATUS REPORT
)
UNITED LAW GROUP, INC.,)
et. al.,)
) Hearing Date: Under Submission
) Department 10A
Defendants.) Hon. Josephine S. Tucker, District Judge

TO EACH PARTY AND THEIR ATTORNEY OF RECORD:

1 The Parties respectfully and jointly submit this Joint Status Report
2 pursuant to Order of the Court dated January 18, 2012.

3
4 This Court stayed this Federal Action on March 9, 2010 due to the
5 pending State Court action. By minute order dated February 16, 2011, the
6 Court lifted a stay of proceedings that had previously been issued and set
7 the case for Scheduling Conference on April 25, 2011. However, the Parties
8 again requested the Court stay this action, which it did on April 25, 2011.

9
10 To summarize the current status of the litigation against United Law
11 Group (ULG), a now-defunct loan modification law firm, and related
12 individuals, we start with the fact there are two actions: The State Court
13 Action and the Federal Action (this one).

14
15
16 The state court action, Orange County Superior Court Case No. 30-
17 2009-00180152, was filed on July 31, 2009 by one plaintiff (Cu Phan). The
18 only original defendants in that case were ULG and Sean Rutledge, the
19 former executive director of ULG. The state action was delayed for a
20 number of reasons including the appeal of the denial of an anti-SLAPP
21 motion and a bankruptcy filing by ULG. Later, relief from the bankruptcy
22 stay was obtained.

23
24
25 After remand from the appellate court, the complaint in the State
26 Court Action was amended several times. The current pleading is the
27
28

1 Fourth Amended Complaint and names all 23 defendants from this federal
2 action. On July 18, 2011, the State Court certified a class on all claims
3 presented in the Federal Action. On December 15, 2011, a default was
4 entered against defendants ULG, Robert Buscho, Corvi Urling, and Judy
5 Contino. A default classwide judgment prove-up packet was submitted to
6 the Superior Court and a Judgment was entered on January 18, 2012.
7

8
9 That leaves two remaining defendants who have appeared in the State
10 Court and Federal Court actions—Damian Kutzner and David Johnson.
11 The claims against them can be adequately litigated in State Court.
12

13 There are other Defendants named in both the State and Federal
14 Complaints who have not been located or served and most likely will never
15 be. In any event, none of the missing defendants in the State Action have
16 appeared in the Federal Action or been served so there is no benefit to
17 continuing the Federal Action to prevent some defendants from escaping
18 liability.
19

20
21 Plaintiffs do not oppose dismissal of the Federal Action now that the
22 State Court judgment has been entered. Because this is a class action,
23 Plaintiffs have explained why it would not prejudice the class members.
24 Defendants do not oppose dismissal and waive any right to recover court
25 costs. The dismissal is without prejudice.
26
27
28

1 DATED: February 24, 2012

2 Respectfully submitted,

3
4 LAKESHORE LAW CENTER

5 By ___/s/___Jeffrey Wilens_____

6 Jeffrey Wilens, Esq.
7 Attorney for Plaintiffs
8

9
10 Dated: February 24, 2012

VENABLE LLP

11 By: ___/s/___Dan Chammas_____

12 Dan Chammas, Esq.
13 Attorney for Defendants United Law Group,
14 Inc., Robert Joseph Buscho, Vito Torchia, Jr.,
15 Jerold Gardner, Timothy R. Pack, David
16 Johnson, Mark Fisher, Craig Hughes, Julie
17 Smith, Corvi J. Urling, Judy Contino, and
18 Damian Robert Kutzner
19
20
21
22
23
24
25
26
27
28